Comment on the proposed conservation of usage of the names *Phymaturus* Gravenhorst, 1837 and *Lacerta palluma* Molina, 1782 (currently *Phymaturus palluma*; Reptilia, Sauria) by designation of a neotype for *Lacerta palluma*
(Case 3225; see BZN **60**: 38–41, 58, 220)

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We do not support this application to the Commission. The proposed action attempts to confirm a mistake made by many authors since 1837, who have given to a liolaemine iguanid lizard the specific name that Molina (1782) clearly proposed for a teiid lizard.

We agree with the arguments in paras. 1 and 3–6 of the application, but we strongly reject those in the remaining paragraphs. In para. 2, the nomenclatural vicissitudes of *Lacerta palluma* Molina, 1782 have been summarized in shortened and unsatisfactory terms. Molina's taxon was not misidentified by Gravenhorst (1837) but by Daudin (1802) who introduced a spiny verticillate tail not mentioned by Molina; this character was later used by Gravenhorst when establishing *Phymaturus*.

As *Lacerta palluma* Molina, 1782 is a senior synonym of the teiid lizard *Callopistes maculatus* Gravenhorst, 1837, Veloso, Nuñez & Cei (2000) designated a neotype (accession number 2909, National Museum of Natural History, Santiago, Chile) in order to give taxonomic stability to the name *Callopistes palluma* (Molina, 1782), under Article 75(d) of the third edition of the Code (in force when we wrote the paper). In the light of Article 86.1.2 of the current (fourth edition) of the Code, we stress the fact that our 2000 paper was actually submitted for publication prior to 1 January 2000, even though it was published after this date. The other taxon, *Phymaturus flagellifer* (Bell, 1843), also referred to in Case 3225, was indirectly stabilized by the fixation of the above mentioned neotype.

We cannot agree with the suggested designation (para. 8) of the specimen BMNH-1946.829.84, the holotype of *Centrura flagellifer* Bell, 1843, as a neotype for *Lacerta palluma* Molina, 1782. This action seems to us to be based on a very subjective choice of how to achieve 'nomenclatural stability'.

The recent examples (since 1982) of the usage of *Phymaturus palluma* (Molina, 1782) reported in the application can be easily balanced with an equivalent number of citations of *Phymaturus flagellifer* and *Callopistes palluma*. The Commission holds a list of 17 examples, including Cei (1986), Veloso & Navarro (1988), Castro et al. (1991), Habit & Ortiz (1994), Inzunza et al. (1998), Morando et al. (2001) and Cei & Videla (2003).

We think that the request to conserve the existing usage of the generic name *Phymaturus* Gravenhorst, 1837 and the specific name *Lacerta palluma* Molina, 1782

is both unfit and unnecessary. In our opinion. no action is required by the Commission other than to reject the proposals made in this application.

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Comment on the proposed conservation of the specific name of *Vespertilio nanus* Peters, 1852 (currently *Pipistrellus nanus*; Mammalia, Chiroptera)

(Case 3240; see BZN **60**: 42–44)

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I work on African bats (e.g. Van Cakenberghe & De Vree, 1999) and am uncertain that the specific names of *Pipistrellus africanus* (Rüppell, 1842) and *Pipistrellus nanus* (Peters, 1852) are in fact synonyms. For this reason, I oppose the proposal to suppress the specific name of *P. africanus* and suggest that both names be conserved. Although I agree with Meredith Happold that *P. nanus* should be given precedence over *P. africanus* when the two names are considered to be synonyms. The name *P. nanus* has been more widely used than *P. africanus* (281 publications v. 24 during the period 1840–2003; the Commission Secretariat holds these references).

However, there is taxonomic evidence that these two names actually refer to two different taxa. For example, if the dimensions of the *P. africanus* lectotype are compared with those of *P. nanus* specimens from north-eastern Africa we see that *P. africanus* fits within the ranges for most of the dimensions. Nonetheless, it is marginally larger than the maximum values found for *P. nanus* for the length of the maxillary toothrow, the width across the upper molars, the length of the mandibula, and the length of the tibia.

A number of authors (e.g. Cotterill, 1996; Kearney & Taylor, 1997) point out that the systematics of this group of African bats are still not entirely clear, and they